

GENERAL ASSEMBLY OF NORTH CAROLINA



**SPECIAL PROVISIONS
APPROPRIATIONS SUBCOMMITTEE ON NATURAL AND ECONOMIC
RESOURCES REPORT**

MAY 23, 2012

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2012-AGRIC-H5-P

Department of Agriculture and Consumer Services
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

B.R.I.D.G.E. YOUTHFUL OFFENDERS/PRIORITY AND REPORTING

SECTION #.(a) The Division of Adult Correction of the Department of Public Safety shall give priority to the B.R.I.D.G.E. Youthful Offenders Program operated in cooperation with the North Carolina Forest Service when assigning youthful offenders from the Western Youth Institution to work programs.

SECTION #.(b) The North Carolina Forest Service and the Division of Adult Correction of the Department of Public Safety shall jointly submit an annual report on the B.R.I.D.G.E. Youthful Offenders Program no later than October 1 of each year beginning October 1, 2012, to the Fiscal Research Division, the Chairs of the House Appropriations Subcommittee on Natural and Economic Resources and the Senate Appropriations Committee on Natural and Economic Resources, the Chairs of the House Appropriations Subcommittee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety, the Joint Legislative Commission on Governmental Operations, and the Joint Legislative Oversight Committee on Justice and Public Safety. The report shall include the following information for the prior fiscal year:

- (1) The number of youthful offenders within the custody of the Division of Adult Correction eligible for B.R.I.D.G.E.
- (2) The number of youthful offenders participating in B.R.I.D.G.E.
- (3) The average daily participation in B.R.I.D.G.E.
- (4) The average duration of participation in B.R.I.D.G.E.
- (5) Summary of activities of B.R.I.D.G.E. participants.

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2012-AGRIC-H7-P

Department of Agriculture and Consumer Services
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

FOREST FIRES/ANNUAL REPORT

SECTION #. Article 75 of Chapter 106 of the General Statutes is amended by adding a new section to read:

"§ 106-911. Annual report on wildfires.

No later than October 1 of each year, beginning October 1, 2012, the Commissioner shall submit a written report on wildfires in the State to the chairs of the House Appropriations Subcommittee on Natural and Economic Resources and the Senate Appropriations Committee on Natural and Economic Resources, the Joint Legislative Commission on Governmental Operations, and the Fiscal Research Division of the General Assembly. The report shall include the following information for all major or project wildfires during the prior fiscal year:

- (1) The date, location, and impacts (property damage and any casualties) from the wildfire.
- (2) The following data for firefighters and related support personnel involved in fighting the wildfire:
 - a. Total overtime hours worked.
 - b. Total compensation paid for overtime.
 - c. The portion of compensation paid that was reimbursed to the State.
- (3) The fiscal impact of the wildfire, including total costs, reimbursable costs, and costs incurred by the State."

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2012-AGRIC-H6-P

Department of Agriculture and Consumer Services
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

***SOUTHEASTERN NORTH CAROLINA AGRICULTURAL CENTER AND FARMERS
MARKET/STUDY OPTIONS***

SECTION #.(a) The Department of Agriculture and Consumer Services shall study the operating model of the Southeastern North Carolina Agricultural Center and Farmers Market and recommend alternative operating models. The alternative operating models should be evaluated based on a goal of limiting subsidies from State funds in support of facility operations to no more than fifty percent (50%) of the facility's operating budget. At a minimum, the Department should consider the following alternatives:

- (1) Changing the services provided, with particular emphasis on options for the retail farmers market.
- (2) Pooling staff, resources, and profits between the Center and other similar facilities operated by the Department.
- (3) Contracting with a private entity to operate the Center or some portion of the Center's operations.
- (4) If there is no operating model under which continued operation of the Center is viable with State subsidies limited to fifty percent (50%) or less of the Center's operating budget, options for closure of the Center and alternative uses of the property, including transfer of ownership of some or all of the facilities of the Center to a unit of local government.

SECTION #.(b) The Department shall report its findings and recommendations to the House Appropriations Subcommittee on Natural and Economic Resources, the Senate Appropriations Committee on Natural and Economic Resources, and the Fiscal Research Division on or before February 1, 2013.

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2012-AGRIC-H9-P

Department of Agriculture and Consumer Services
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

RESEARCH STATIONS NONREVERTING FUND

SECTION #. Article 1 of Chapter 106 of the General Statutes is amended by adding a new section to read:

"§ 106-6.3. Create special revenue fund for research stations.

The Research Stations Fund is established as a special revenue fund within the Department of Agriculture and Consumer Services, Division of Research Stations. This Fund shall consist of receipts from the sale of commodities produced on the Department's research stations and any gifts, bequests, or grants for the benefit of this Fund. No General Fund appropriations shall be credited to this Fund. Any balance remaining in this Fund at the end of any fiscal year shall not revert. The Department may use this Fund only to develop, improve, repair, maintain, operate, or otherwise invest in research stations operated by the Department's Research Station Division."

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2012-ENV-H3A-P

Environment and Natural Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 ***RECLASSIFY VACANT POSITIONS WITHIN DENR***

2 **SECTION #.** Should the recommended legislation contained in the report of the
3 Legislative Research Commission's Committee on Energy Policy Issues become law and
4 require the Department of Environment and Natural Resources to provide staff to an Oil and
5 Gas Board (or substantially similar fossil fuel oversight body), then the Department shall
6 reclassify and consolidate vacant positions within the Department into three positions and shall
7 fill these reclassified and consolidated positions in a timely manner in order to provide support
8 for implementation of the recommendations.

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2012-ENV-H4-P

Environment and Natural Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

DENR TO CENTRALIZE OVERSIGHT OF ITS REGIONAL OFFICES

SECTION #.(a) The Department of Environment and Natural Resources shall centralize and expand its oversight of the Department's regional offices by taking the following actions:

- (1) The Department shall create a mission statement for the regional office.
- (2) In order to gather comparative data across the regional offices measuring their performance in carrying out their mission, the Department shall expand its existing performance measures pertinent to customer service delivery and process consistency. The expanded performance measures shall include time lines and mile-stones.
- (3) The Department shall implement a new customer survey during the 2012-2013 fiscal year, and use the findings of the survey to craft future goals for addressing customer service concerns. In order to consistently track customer service data, the survey shall be repeated every other year.
- (4) The Department shall conduct a review of its regional offices and divisions to identify best practices for ensuring consistency across the Department and create a plan for implementing those best practices across regional offices and divisions.

SECTION #.(b) The Department shall report no later than February 1, 2013, to the House Appropriations Subcommittee on Natural and Economic Resources, the Senate Appropriations Committee on Natural and Economic Resources, and the Fiscal Research Division regarding (i) its progress, findings, and recommendations regarding the requirements of this section and (ii) its progress in establishing and implementing findings and recommendations regarding its operations from the public listening sessions conducted by the Department in 2011.

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2012-ENV-H5-P

Environment and Natural Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 ***DRINKING WATER STATE REVOLVING FUND***

2 **SECTION #.** Notwithstanding G.S. 159G-22, the Department of Environment and
3 Natural Resources may transfer State funds from the Drinking Water Reserve to the Drinking
4 Water State Revolving Fund for the 2012-2013 fiscal year. The funds shall be used to match
5 maximum available federal grant moneys authorized by section 1453 of the federal Safe
6 Drinking Water Act of 1996, 42 U.S.C. § 300j-12, as amended.

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2012-ENV-H2-P

Environment and Natural Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

***TRANSFER GEODETIC SURVEY SECTION FROM DENR TO THE DIVISION OF
EMERGENCY MANAGEMENT OF THE DEPARTMENT OF PUBLIC SAFETY***

SECTION #.(a) All functions, powers, duties, and obligations previously vested in the Geodetic Survey Section of the Division of Land Resources of the Department of Environment and Natural Resources are transferred to and vested in the Division of Emergency Management of the Department of Public Safety by a Type I transfer, as defined in G.S. 143A-6.

SECTION #.(b) G.S. 102-1.1 reads as rewritten:

"§ 102-1.1. Name and description in relation to 1983 North American Datum.

From and after the date and time the North Carolina Geodetic Survey Section in the ~~Division of Land Resources of the Department of Environment and Natural Resources~~ Division of Emergency Management of the Department of Public Safety receives from the National Geodetic Survey, official notice of a complete, published definition of the North American Datum of 1983 including the State plane coordinate constants applicable to North Carolina, the official survey base for North Carolina shall be a system of plane coordinates to be known as the "North Carolina Coordinate System of 1983," said system being defined as a Lambert conformal projection of the "Geodetic Reference System (GRS 80 Ellipsoid)" having a central meridian of 79° – 00' west from Greenwich and standard parallels of latitude of 34° – 20' and 36° – 10' north of the equator, along which parallels the scale shall be exact. All coordinates of the system are expressed in metres, the x coordinate being measured easterly along the grid and the y coordinate being measured northerly along the grid. The U.S. Survey Foot, 1 meter = 39.37 inches or 3.280833333 feet, shall be used as a conversion factor. The origin of the coordinates is hereby established on the meridian 79° – 00' west from Greenwich at the intersection of the parallels 33° – 45' north latitude, such origin being given the coordinates x = 609,601.22 metres, y = 0 metres. The precise position of said system shall be as marked on the ground by triangulation or traverse stations or monuments established in conformity with the standards adopted by the National Geodetic Survey for first- and second-order work, whose geodetic positions have been rigidly adjusted on the North American Datum of 1983, and whose plane coordinates have been computed on the system defined. Whenever plane coordinates are used in the description or identification of surface area or location within this State, the coordinates shall be identified as "NAD 83", indicating North American Datum of 1983, or as "NAD 27", indicating North American Datum of 1927."

SECTION #.(c) G.S. 102-8 reads as rewritten:

"§ 102-8. Administrative agency.

The administrative agency of the North Carolina Coordinate System shall be the ~~Department of Environment and Natural Resources~~ Department of Public Safety through its appropriate division hereinafter called the "agency."

SECTION #.(d) G.S. 102-10 reads as rewritten:

"§ 102-10. Prior work.

1 The system of stations, monuments, traverses, computations, and other work which has
2 been done or is under way in North Carolina by the so-called North Carolina Geodetic Survey,
3 under the supervision of the United States Coast and Geodetic Survey, is, where consistent with
4 the provisions of this Chapter, hereby made a part of the North Carolina Coordinate System.
5 The surveys, notes, computations, monuments, stations, and all other work relating to the
6 coordinate system, which has been done by said North Carolina Geodetic Survey, under the
7 supervision of and in cooperation with the United States Coast and Geodetic Survey and federal
8 relief agencies, hereby are placed under the direction of, and shall become the property of, the
9 administrative agency. All persons or agencies having in their possession any surveys, notes,
10 computations, or other data pertaining to the aforementioned coordinate system, shall turn over
11 to the Department of ~~Environment and Natural Resources~~Public Safety such data upon
12 request."

13 **SECTION #.(e)** G.S. 102-12 reads as rewritten:

14 **"§ 102-12. Control system map.**

15 The agency shall prepare for publication and cause to be ~~published before July 1,~~
16 ~~1962,~~published a map or maps setting forth the location of monuments for both horizontal and
17 vertical control, together with such other pertinent data as the agency may direct for
18 implementation of the North Carolina Coordinate System. The agency shall furnish such map
19 or maps to any person or may make such charge as will defray the expense of printing and
20 distribution. It shall be the responsibility of the agency to maintain this map, make revisions as
21 often as necessary to provide up-to-date information and furnish up-to-date copies to the
22 register of deeds of each county in the State."

23 **SECTION #.(f)** G.S. 47-30(f) reads as rewritten:

24 **"§ 47-30. Plats and subdivisions; mapping requirements.**

25 ...

26 (f) Plat to Contain Specific Information. – Every plat shall contain the following
27 specific information:

28 ...

- 29 (9) Where the plat is the result of a survey, one or more corners shall, by a
30 system of azimuths or courses and distances, be accurately tied to and
31 coordinated with a horizontal control monument of some United States or
32 State Agency survey system, such as the North Carolina Geodetic Survey
33 where the monument is within 2,000 feet of the subject property. Where the
34 North Carolina Grid System coordinates of the monument are on file in the
35 North Carolina Geodetic Survey Section in the ~~Division of Land Resources~~
36 ~~of the Department of Environment and Natural Resources,~~ Division of
37 Emergency Management of the Department of Public Safety, the coordinates
38 of both the referenced corner and the monuments used shall be shown in X
39 (easting) and Y (northing) coordinates on the plat. The coordinates shall be
40 identified as based on "NAD 83," indicating North American Datum of
41 1983, or as "NAD 27," indicating North American Datum of 1927. The tie
42 lines to the monuments shall also be sufficient to establish true north or grid
43 north bearings for the plat if the monuments exist in pairs. Within a
44 previously recorded subdivision that has been tied to grid control, control
45 monuments within the subdivision may be used in lieu of additional ties to
46 grid control. Within a previously recorded subdivision that has not been tied
47 to grid control, if horizontal control monuments are available within 2,000
48 feet, the above requirements shall be met; but in the interest of bearing
49 consistency with previously recorded plats, existing bearing control should
50 be used where practical. In the absence of grid control, other appropriate

1 natural monuments or landmarks shall be used. In all cases, the tie lines shall
2 be sufficient to accurately reproduce the subject lands from the control or
3 reference points used.

4"

5 **SECTION #.(g)** Notwithstanding G.S. 147-33.83, the North Carolina Geodetic
6 Survey Section shall continue to provide free of charge to the Department of Environment and
7 Natural Resources the services provided by the Section to the Department on or prior to the
8 effective date of this act, including the following:

9 (1) Surveying assistance and expertise, including all of the following:

- 10 a. Review of survey plats related to development proposals,
11 remediation activities, and redevelopment of contaminated sites.
- 12 b. Establishment of oyster lease boundaries.
- 13 c. Surveys of submerged lands.
- 14 d. Survey activities required to establish the location of mean high
15 water.

16 (2) Providing surveying assistance and expertise to the Department of Justice
17 related to DENR cases, including expert testimony in administrative
18 contested cases or judicial proceedings.

19 (3) Providing technical training and assistance to DENR agencies in surveying
20 and in the use of GPS and GPS software.

21 (4) Reviewing proposed purchases of GPS equipment by DENR agencies.

22 (5) Surveying lands managed by or lands proposed for acquisition by DENR
23 agencies.

24 **SECTION #.(h)** The Revisor of Statutes shall make the conforming statutory
25 changes necessary to reflect the transfer under this section. The Revisor of Statutes may, where
26 necessitated by this section, correct any reference in the General Statutes and make any other
27 conforming changes.

28 **SECTION #.(i)** Any references in this act to the North Carolina Geodetic Survey
29 Section of the Division of Land Resources of the Department of Environment and Natural
30 Resources shall be construed to refer to the North Carolina Geodetic Survey Section of the
31 Division of Emergency Management of the Department of Public Safety.

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SPECIAL PROVISION



2012-NER-H1-P

Natural and Economic Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

PROHIBIT THE CONSTRUCTION OF NEW PIERS/SATELLITE AREAS

SECTION #.(a) G.S. 143B-289.44(b) reads as rewritten:

"(b) Fund. – The North Carolina Aquariums Fund is hereby created as a special and nonreverting fund. The North Carolina Aquariums Fund shall be used for repair, renovation, expansion, maintenance, educational exhibit construction, and operational expenses at existing aquariums, to pay the debt service and lease payments related to the financing of expansions of ~~aquariums, including other relevant satellite areas, aquariums,~~ and to match private funds that are raised for these purposes."

SECTION #.(b) Notwithstanding G.S. 143B-289.44(b), as rewritten by subsection (a) of this section, the North Carolina Aquariums Fund may continue to be used for the North Carolina Aquarium Pier at Nags Head.

SECTION #.(c) Part 5C of Article 7 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-289.45. Satellite areas prohibited absent General Assembly authorization.

Notwithstanding any other provision of law, State funds shall not be used for any of the following purposes unless specifically authorized by the General Assembly:

(1) Construction of any satellite area.

(2) Commencement of any capital project in connection with the construction or acquisition of any satellite area.

(3) Operation of any satellite area.

For purposes of this section, the term "satellite area" means any property or facility that is to be operated by the Division of North Carolina Aquariums that is located somewhere other than on the site of the aquariums at Pine Knoll Shores, Roanoke Island, and Fort Fisher."

SECTION #.(d) Notwithstanding G.S. 143B-289.45, as enacted by subsection (c) of this section, the Division of North Carolina Aquariums may continue to operate the North Carolina Aquarium Pier at Nags Head.

SECTION #.(e) This section is effective when it becomes law.

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SPECIAL PROVISION



2012-NATRES-H3-P

Environment and Natural Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 ***WILDLIFE RESOURCES COMMISSION BUDGET***

2 **SECTION #.** The Office of State Budget and Management, the State Controller,
3 the Fiscal Research Division, and the Wildlife Resources Commission shall jointly effectuate,
4 beginning with the 2013-2014 fiscal year, the use of Budget Code 14350 for budgeting the
5 expenditures and receipts of any Wildlife Resources Commission programs that utilize General
6 Fund appropriations. Receipts from any source utilized to support programs that receive
7 General Fund appropriations shall be expended from Budget Code 14350. The Governor's
8 Continuation Budget for FY 2013-2014 shall present the Wildlife Resources Commission
9 operating budget in Budget Code 14350.

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SPECIAL PROVISION



2012-NATRES-H2-P

Environment and Natural Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

CLEAN WATER MANAGEMENT TRUST FUND

SECTION #.(a) Notwithstanding the provisions of G.S. 113A-253(d), the sum of three million dollars (\$3,000,000) shall be used for the 2012-2013 fiscal year for the costs of administering the Clean Water Management Trust Fund, including costs to support the Board of Trustees of the Clean Water Management Trust Fund and its staff, the operating costs of the Board of Trustees of the Clean Water Management Trust Fund and its staff, and the costs of making debt payments to retire debt as provided under G.S. 113A-253(c).

SECTION #.(b) Notwithstanding G.S. 113A-253(c) and G.S. 113A-254, the Board of Trustees of the Fund shall give priority consideration to any Clean Water Management Trust Fund application requesting State matching funds for infrastructure programs and for the Readiness and Environmental Protection Initiative or any other United States Department of Defense program that provides for military buffers and protects the overall military training mission. To the extent applications for matching funds as described in this subsection exceed available funding, the Board of Trustees of the Fund shall award funds based on the purposes set forth in G.S. 113A-253(c).

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2012-NATRES-H6-P

Environment and Natural Resources
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 ***AQUARIUM BUDGETING CLARIFICATION***

2 **SECTION #.** The Department of Environment and Natural Resources shall budget
3 all line items related to daily operations of the State aquariums in Budget Code 14300. The
4 Department may continue to use Budget Code 24300 for special events, activities, debt service,
5 and other items not related to daily operations of the State aquariums.

GENERAL ASSEMBLY OF NORTH CAROLINA

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2012-COMM-H3A-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

NER BLOCK GRANTS

SECTION #. Section 14.1 of S.L. 2011-145 reads as rewritten:

"SECTION 14.1.(a) Appropriations from federal block grant funds are made for the fiscal year ending ~~June 30, 2012~~, June 30, 2013, according to the following schedule:

COMMUNITY DEVELOPMENT BLOCK GRANT

01. State Administration	\$ 1,000,000
02. State Technical Assistance	450,000
03. Scattered Site Housing	8,000,000 <u>7,200,000</u>
04. Economic Development	7,210,000 <u>7,000,000</u>
05. Small Business/Entrepreneurship	3,000,000 <u>2,500,000</u>
06. NC Catalyst	5,000,000 <u>4,500,000</u>
07. Infrastructure	19,740,000 <u>20,300,000</u>
08. Capacity Building	600,000

TOTAL COMMUNITY DEVELOPMENT

BLOCK GRANT – ~~2012~~ 2013 Program Year ~~\$ 45,000,000~~ \$42,500,000

"SECTION 14.1.(b) Decreases in Federal Fund Availability. – If federal funds are reduced below the amounts specified above after the effective date of this act, then every program in each of these federal block grants shall be reduced by the same percentage as the reduction in federal funds.

"SECTION 14.1.(c) Increases in Federal Fund Availability for Community Development Block Grant. – Any block grant funds appropriated by the Congress of the United States in addition to the funds specified in this section shall be expended as follows: each program category under the Community Development Block Grant shall be increased by the same percentage as the increase in federal funds.

"SECTION 14.1.(d) Limitations on Community Development Block Grant Funds. – Of the funds appropriated in this section for the Community Development Block Grant, the following shall be allocated in each category for each program year: up to one million dollars (\$1,000,000) may be used for State Administration; ~~up to four hundred fifty thousand dollars (\$450,000) may be used for State Technical Assistance;~~ up to eight million dollars

1 ~~(\$8,000,000)~~seven million two hundred thousand dollars (\$7,200,000) may be used for
2 Scattered Site Housing; up to ~~seven million two hundred ten thousand dollars~~
3 ~~(\$7,210,000)~~seven million dollars (\$7,000,000) may be used for Economic Development; up to
4 ~~three million dollars (\$3,000,000)~~two million five hundred thousand dollars (\$2,500,000) may
5 be used for Small Business/Entrepreneurship; up to ~~five million dollars (\$5,000,000)~~four
6 million five hundred thousand dollars (\$4,500,000) shall be used for NC Catalyst; up to
7 ~~nineteen million seven hundred forty thousand dollars (\$19,740,000)~~twenty million three
8 hundred thousand dollars (\$20,300,000) may be used for ~~Infrastructure; up to six hundred~~
9 ~~thousand dollars (\$600,000) may be used for Capacity Building.~~Infrastructure. If federal block
10 grant funds are reduced or increased by the Congress of the United States after the effective
11 date of this act, then these reductions or increases shall be allocated in accordance with
12 subsection (b) or (c) of this section, as applicable.

13 **"SECTION 14.1.(e)** The Department of Commerce shall consult with the Joint Legislative
14 Commission on Governmental Operations prior to reallocating Community Development
15 Block Grant Funds. Notwithstanding the provisions of this subsection, whenever the Director
16 of the Budget finds that:

- 17 (1) A reallocation is required because of an emergency that poses an imminent
18 threat to public health or public safety, the Director of the Budget may
19 authorize the reallocation without consulting the Commission. The
20 Department of Commerce shall report to the Commission on the reallocation
21 no later than 30 days after it was authorized and shall identify in the report
22 the emergency, the type of action taken, and how it was related to the
23 emergency.
- 24 (2) The State will lose federal block grant funds or receive less federal block
25 grant funds in the next fiscal year unless a reallocation is made, the
26 Department of Commerce shall provide a written report to the Commission
27 on the proposed reallocation and shall identify the reason that failure to take
28 action will result in the loss of federal funds. If the Commission does not
29 hear the issue within 30 days of receipt of the report, the Department may
30 take the action without consulting the Commission.

31 **"SECTION 14.1.(f)** By ~~September 1, 2011,~~September 1, 2012, the Division of
32 Community Assistance, Department of Commerce, shall report to the Joint Legislative
33 Commission on Governmental Operations and the Fiscal Research Division on the use of
34 Community Development Block Grant Funds appropriated in the prior fiscal year. The report
35 shall include the following:

- 36 (1) A discussion of each of the categories of funding and how the categories
37 were selected, including information on how a determination was made that
38 there was a statewide need in each of the categories.
- 39 (2) Information on the number of applications that were received in each
40 category and the total dollar amount requested in each category.
- 41 (3) A list of grantees, including the grantee's name, county, category under
42 which the grant was funded, the amount awarded, and a narrative description
43 of the project.

44 **"SECTION 14.1.(g)** For purposes of this section, eligible activities under the category of
45 Infrastructure in subsection (a) of this section are limited to the installation of public water or
46 sewer lines and improvements to water or sewer treatment plants that have specific problems
47 such as being under moratoriums or special orders of consent. Notwithstanding the provisions
48 of subsection (e) of this section, funds allocated to the Infrastructure category in subsection (a)
49 of this section shall not be reallocated to any other category."

GENERAL ASSEMBLY OF NORTH CAROLINA

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2012-COMM-H6-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 ***DEPARTMENT OF COMMERCE/TRAVEL EXPENSES***

2 **SECTION #.** The Department of Commerce shall not provide per diem,
3 subsistence, or travel allowances for any State employee who is not an employee of the
4 Department. Nothing in this section shall prohibit a member of a State board or commission,
5 State officer or employee, or member of the General Assembly who travels on official business
6 with an employee of the Department of Commerce from receiving per diem, subsistence, and
7 travel allowances from their respective board or commission, department, or agency at the rate
8 set forth in G.S. 138-5, 138-6, and 120-3.1.

GENERAL ASSEMBLY OF NORTH CAROLINA

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2012-COMM-H7-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 *NC SMALL BUSINESS CONTRACTOR AUTHORITY/REPORTING REQUIREMENT*

2 SECTION #. G.S. 143B-472.102 reads as rewritten:

3 "§ 143B-472.102. Authority creation; powers.

4 ...

5 (j) Powers and Duties. – The Authority has the following powers and duties:

6 ...

7 (9) To report quarterly to the Joint Legislative Commission on Governmental
8 Operations on the activities of the Authority, including the amount of rates,
9 sureties, and bonds. The Authority shall comply with the provisions of this
10 subdivision only in the fiscal years in which funds are appropriated by the
11 State to the Authority to perform the powers and duties authorized in this
12 Part.

13"

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2012-COMM-H8-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

**DEPARTMENT OF COMMERCE/CHANGES TO STATUTORY REPORTING
REQUIREMENTS**

SECTION #.(a) G.S. 143B-434.01 reads as rewritten:

"§ 143B-434.01. Comprehensive Strategic Economic Development Plan.

...

(e) Environmental Scan. – The first step in developing the Plan shall be to develop an environmental scan based on the input from economic development parties and the public and on information about the economic environment in North Carolina. To prepare the scan, the Board shall gather the following information. Thereafter, the information shall be updated periodically. information and ensure that the information is updated periodically. The updated information may be provided in whatever format and through whatever means is most efficient.

...

(f) Needs Assessment. ~~The Board, using data from the public input sessions and the environmental scan, shall prepare an assessment of economic development strengths, weaknesses, threats, and opportunities within the State by Region and by county. An assessment shall also be conducted of each county to determine distressed areas existing within the county. The assessment will include the identification of key development issues within each geographic area and options available to address each issue.~~

...

(k) Annual Report. ~~Evaluation. – The Plan shall contain a section devoted to measuring results, to be called "An Annual Report on Economic Development for the State of North Carolina". The Annual Report shall contain a comparison of actual results with The Board shall annually evaluate the State's economic performance based upon the statistics listed in this subsection and upon the Board's stated goals and objectives in its Plan. and significant and meaningful statistics to allow policymakers to adjust strategy and tactics as necessary to achieve the formulated goals. The statistics upon which the evaluation is made should be available to policymakers. The information may be provided in whatever format and through whatever means is most efficient.~~

The Annual Report shall break down data by Regions and counties including:

...

(9) ~~An evaluation of the State's economic performance as indicated by the above statistics with the goals and objectives outlined in the Plan.~~

(l) Accountability. – The Board shall make all data, plans, and reports available to the General Assembly ~~and Assembly~~, the Joint Legislative Commission on Governmental Operations ~~Operations~~, the Joint Legislative Economic Development and Global Engagement Oversight Committee, the Senate Appropriations Committee on Natural and Economic Resources, and the House of Representatives Appropriations Subcommittee on Natural and Economic Resources at appropriate times and upon request. The Board shall prepare and make

1 available on an annual basis public reports on each of the major sections of the Plan and the
2 Annual Report indicating the degree of success in attaining each development objective."

3 **SECTION #.(b)** G.S. 143B-435.1 reads as rewritten:

4 **"§ 143B-435.1. Clawbacks.**

5 ...

6 (d) Report. – ~~The~~ By April 1 and October 1 of each year, the Department of Commerce
7 shall report to the Revenue Laws Study Committee by April 1 and October 1 of each year
8 Committee, the Joint Legislative Commission on Governmental Operations, the Senate
9 Appropriations Committee on Natural and Economic Resources, the House of Representatives
10 Appropriations Subcommittee on Natural and Economic Resources, and the Fiscal Research
11 Division of the General Assembly on all clawbacks that have been triggered under programs it
12 administers and its progress on obtaining repayments. The report must include the name of
13 each business, the event that triggered the clawback, and the amount forfeited or to be repaid."

14 **SECTION #.(c)** G.S. 143B-437.01(c) is repealed.

15 **SECTION #.(d)** G.S. 143B-437.07 reads as rewritten:

16 **"§ 143B-437.07. Economic development grant reporting.**

17 (a) Report. – The Department of Commerce must publish on or before ~~March-October~~ 1
18 of each year the information required by this subsection, itemized by business entity, for each
19 business or joint private venture to which the State has, in whole or in part, granted one or more
20 economic development incentives during the previous ~~five calendar years~~. ~~The Department~~
21 ~~must provide the General Assembly with updated supplemental information consistent with this~~
22 ~~subsection on a quarterly basis in the form and manner requested by the General~~
23 ~~Assembly fiscal year.~~ The information in the report must include all of the following:

24 ...

25 (b) ~~Online Posting.~~ Posting/Written Submission. – The Department of Commerce must
26 post on its Internet Web site a summary of the report compiled in subsection (a) of this section.
27 The summary report must include the information required by subdivisions (2), (9), (11), and
28 (12) of subsection (a) of this section. By October 1 of each year, the Department of Commerce
29 must submit the written report required by subsection (a) of this section to the Joint Legislative
30 Commission on Governmental Operations, the Revenue Laws Study Committee, the Senate
31 Appropriations Committee on Natural and Economic Resources, the House of Representatives
32 Appropriations Subcommittee on Natural and Economic Resources, and the Fiscal Research
33 Division of the General Assembly.

34 (c) Economic Development Incentive. – An economic development incentive includes
35 any grant ~~program administered by the Department of Commerce that disburses or awards~~
36 ~~monies to businesses. Examples of these grant programs include the~~ from the following
37 programs: Job Development Investment Grant ~~Program, Program;~~ the Job Maintenance and
38 Capital Development ~~Fund, Fund;~~ One North Carolina ~~Fund, Fund;~~ and the Industrial
39 Development Fund, including the Utility Account. The State also incents economic
40 development through the use of tax expenditures in the form of tax credits and refunds. The
41 Department of Revenue must report annually on these statutory economic development
42 incentives, as required under G.S. 105-256."

43 **SECTION #.(e)** G.S. 143B-437.08 is amended by adding a new subsection to read:

44 **"§ 143B-437.08. Development tier designation.**

45 ...

46 (k) Report. – By November 30 of each year, the Secretary of Commerce shall submit a
47 written report to the Joint Legislative Commission on Governmental Operations, the Senate
48 Appropriations Committee on Natural and Economic Resources, the House of Representatives
49 Appropriations Subcommittee on Natural and Economic Resources, and the Fiscal Research

1 Division of the General Assembly on the tier rankings required by subsection (c) of this
2 section, including a map of the State whereupon the tier ranking of each county is designated."
3 **SECTION #.(f)** G.S. 143B-437.55(d) is repealed.

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2012-COMM-H4-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 ***ONE NORTH CAROLINA FUND***

2 **SECTION #.** Section 14.2(a) of S.L. 2011-145 reads as rewritten:

3 "SECTION 14.2.(a) Of the funds appropriated in this act to the One North Carolina Fund
4 for the ~~2011-2012~~2012-2013 fiscal year, the Department of Commerce may use up to two
5 hundred fifty thousand dollars (\$250,000) to cover its expenses in administering the One North
6 Carolina Fund and other economic development incentive grant programs during the
7 ~~2011-2012~~2012-2013 fiscal year. The Department of Commerce shall not use more than two
8 hundred fifty thousand dollars (\$250,000) for administrative costs in any one fiscal year."

GENERAL ASSEMBLY OF NORTH CAROLINA

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DRAFT
SPECIAL PROVISION



2012-COMM-H14B-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

ALIGN ONE NORTH CAROLINA FUND WITH JDIG PROGRAM

SECTION #.(a) The General Assembly acknowledges the importance of ongoing economic growth and development in this State. To that end, it is the intent of the General Assembly to fully fund all of the commitments of the One North Carolina Fund, as evidenced by the General Assembly's past and recurring appropriations to the Fund and as set forth in this section, and to establish a funding structure that aligns with the funding structure that is and has been used with the Job Development Investment Grant Program. The General Assembly has continued this level of commitment while remaining fiscally responsible in addressing the other critical, high-priority needs of the State.

SECTION #.(b) G.S. 143B-437.71 is amended by adding a new subsection to read:
"(b1) Award. – Grants in any single calendar year may be awarded in amounts up to fourteen million dollars (\$14,000,000). No agreement may be entered into that, when considered together with other existing agreements governing grants awarded during a single calendar year, could cause the State's potential total annual liability for grants awarded in a single calendar year to exceed this amount."

SECTION #.(c) G.S. 143B-437.72(b) is amended by adding a new subdivision to read:

"(b) Company Performance Agreements. – An agreement between a local government and a grantee business must contain the following provisions:

- (1) A commitment to create or retain a specified number of jobs within a specified salary range at a specific location and commitments regarding the time period in which the jobs will be created or retained and the minimum time period for which the jobs must be maintained.
- (2) A commitment to provide proof satisfactory to the local government and the State of new jobs created or existing jobs retained and the salary level of those jobs.
- (3) A provision that funds received under the agreement may be used only for a purpose specified in G.S. 143B-437.71(b).
- (4) A provision allowing the State or the local government to inspect all records of the business that may be used to confirm compliance with the agreement or with the requirements of this Part.
- (5) A provision establishing the method for determining compliance with the agreement.
- (6) A provision establishing a schedule for disbursement of funds under the agreement that allows disbursement of funds only in proportion to the amount of performance completed under the agreement.

(6a) A provision establishing that a business that has completed performance and become entitled to a disbursement of funds under the agreement must timely

request, in writing to the local government, a disbursement of funds within 10 years from the date of completed performance or forfeit the disbursement.

(7) A provision requiring recapture of grant funds if a business subsequently fails to comply with the terms of the agreement.

(8) Any other provision the State or the local government finds necessary to ensure the proper use of State or local funds."

SECTION #.(d) G.S. 143B-437.72(d) reads as rewritten:

"(d) Disbursement of Funds. – Funds may be disbursed from the One North Carolina Fund to the local government only after (i) a business has completed performance and is entitled to a disbursement of funds under the agreement and has requested, in writing to the local government no later than February 1 following the year of completed performance, a disbursement of funds and (ii) the local government has reported to the Secretary of Commerce no later than March 1 following the year of completed performance the total amount of disbursements that have been claimed by businesses in writing during the previous year and has demonstrated that the business has complied with the terms of the company performance agreement. The State shall disburse funds allocated under the One North Carolina Fund to a local government ~~in accordance with the disbursement schedule established in the local government grant agreement~~ no later than August 1 following the year of completed performance in an amount equal to that which the local government reported as having been claimed by businesses in writing during the previous year and demonstrated were due to be disbursed as a result of compliance by the businesses with the terms of the company performance agreements. Disbursements by the State to a local government from the One North Carolina Fund shall be made in one annual payment."

SECTION #.(e) G.S. 143B-437.74 reads as rewritten:

"§ 143B-437.74. Reports.~~Reports; study.~~

(a) Reports. – The Department of Commerce shall publish a report on the use of funds in the One North Carolina Fund at the end of each fiscal quarter. The report shall contain information on the commitment, disbursement, and use of funds allocated under the One North Carolina Fund. The report is due no later than one month after the end of the fiscal quarter and must be submitted to the following:

- (1) The Joint Legislative Commission on Governmental Operations.
- (2) The chairs of the House of Representatives and Senate Finance Committees.
- (3) The chairs of the House of Representatives and Senate Appropriations Committees.
- (4) The Fiscal Research Division of the General Assembly.

(b) Study. – The Department of Commerce shall conduct a study to determine the minimum funding level required to implement the One North Carolina Fund successfully. The Department shall report the results of this study to the House of Representatives Finance Committee, the Senate Finance Committee, the House of Representatives Appropriations Subcommittee on Natural and Economic Resources, the Senate Appropriations Committee on Natural and Economic Resources, and the Fiscal Research Division no later than April 1 of each year."

SECTION #.(f) Part 2H of Article 10 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-437.75. Cash flow requirements.

Notwithstanding any other provision of law, moneys allocated from the One North Carolina Fund shall be budgeted and funded on a cash flow basis. The Office of State Budget and Management shall periodically transfer funds from the One North Carolina Fund established pursuant to G.S. 143B-437.71 to the Department of Commerce in an amount sufficient to

1 satisfy Fund allocations to be transferred pursuant to G.S. 143B-437.72 to be paid during the
2 fiscal year."

3 **SECTION #.(g)** Article 9 of Chapter 143C of the General Statutes is amended by
4 adding a new section to read:

5 **"§ 143C-9-7. One North Carolina Fund Reserve.**

6 (a) The State Controller shall establish a reserve in the General Fund to be known as the
7 One North Carolina Fund Reserve. Funds from the One North Carolina Fund Reserve shall not
8 be expended or transferred except in accordance with G.S. 143B-437.75.

9 (b) It is the intent of the General Assembly to appropriate funds annually to the One
10 North Carolina Fund Reserve established in this section in amounts sufficient to meet the
11 anticipated cash requirements for each fiscal year of the One North Carolina Fund Program
12 established pursuant to G.S. 143B-437.71."

13 **SECTION #.(h)** G.S. 143B-437.52 reads as rewritten:

14 **"§ 143B-437.52. Job Development Investment Grant Program.**

15 ...

16 ~~(b) Cap and Priority. —The maximum number of grants the Committee may award in~~
17 ~~each calendar year is 25.—In selecting between applicants, a project that is located in an~~
18 ~~Eco-Industrial Park certified under G.S. 143B-437.08 has priority over a comparable project~~
19 ~~that is not located in a certified Eco-Industrial Park.~~

20 ~~(c) Ceiling.—The maximum amount of total annual liability for grants awarded in any~~
21 ~~single calendar year, including amounts transferred to the Utility Account pursuant to~~
22 ~~G.S. 143B-437.61, may not exceed Award. — Grants in any single calendar year may be~~
23 ~~awarded in amounts up to fifteen million dollars (\$15,000,000).(\$15,000,000), including~~
24 ~~amounts transferred to the Utility Account pursuant to G.S. 143B-437.61. No agreement may~~
25 ~~be entered into that, when considered together with other existing agreements governing grants~~
26 ~~awarded during a single calendar year, could cause the State's potential total annual liability for~~
27 ~~grants awarded in a single calendar year to exceed this amount.~~

28"

29 **SECTION #.(i)** This section becomes effective July 1, 2012.

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2012-COMM-H5-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 INDUSTRIAL COMMISSION FEES/COMPUTER SYSTEM REPLACEMENT

2 SECTION #. Section 14.8 of S.L. 2011-145 reads as rewritten:

3 "SECTION 14.8. ~~The~~ For the 2012-2013 fiscal year, the North Carolina Industrial
4 Commission ~~may~~ shall retain the additional revenue generated as a result of an increase in the
5 fee charged to parties for the filing of compromised settlements. These funds shall be used for
6 the purpose of replacing existing computer hardware and software used for the operations of
7 the Commission. These funds may also be used to prepare any assessment of hardware and
8 software needs prior to purchase and to develop and administer the needed databases and new
9 Electronic Case Management System, including the establishment of two time-limited positions
10 for application development and support and mainframe migration. The Commission may not
11 retain any fees under this section unless they are in excess of the former two-hundred-dollar
12 (\$200.00) fee charged by the Commission for filing a compromised settlement."

GENERAL ASSEMBLY OF NORTH CAROLINA

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DRAFT
SPECIAL PROVISION



2012-COMM-H10-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

EMPLOYMENT SECURITY RESERVE FUND

SECTION #. Funds from the Employment Security Reserve Fund shall be used by the Department of Commerce, Division of Employment Security, only for the following purposes: (i) to pay the interest on the two billion eight hundred million dollars (\$2,800,000,000) in debt liability for unemployment insurance benefits currently owed to the federal government; and (ii) to pay down the principal amount of two billion eight hundred million dollars (\$2,800,000,000) in debt liability for unemployment insurance benefits currently owed to the federal government. The Department of Commerce, Division of Employment Security, shall not use funds from the Employment Security Reserve Fund for any purpose not explicitly authorized in this section.

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SPECIAL PROVISION



2012-COMM-H12-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 ***WORKER TRAINING TRUST FUND***

2 **SECTION #.** Of the funds appropriated in this act to the Department of Commerce
3 for the Worker Training Trust Fund, the sum of seventy-five thousand dollars (\$75,000) in
4 nonrecurring funds for the 2012-2013 fiscal year is allocated to the North Carolina Rural
5 Entrepreneurship through Action Learning (NC REAL) to support curriculum development,
6 materials, and training for Small Business Centers.

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2012-COMM-H11-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 **COUNCIL OF GOVERNMENT FUNDS**

2 **SECTION #.** Section 14.12A(a) of S.L. 2011-145 reads as rewritten:

3 "SECTION 14.12A.(a) Of the funds appropriated in this act to the Department of
4 Commerce, the sum of three hundred forty-three thousand one hundred eighty-seven dollars
5 (\$343,187) for the 2011-2012 fiscal year and the sum of ~~three hundred forty-three thousand one~~
6 ~~hundred eighty-seven dollars (\$343,187)~~ three hundred thirty-eight thousand thirty-nine dollars
7 (\$338,039) for the 2012-2013 fiscal year shall be used only as provided by this section. Each
8 regional council of government or lead regional organization is allocated up to twenty-five
9 thousand dollars (\$25,000) for the 2011-2012 and the 2012-2013 fiscal years."

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2012-COMM-H13-P

Department of Commerce/Economic Development Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

1 GRASSROOTS SCIENCE PROGRAM

2 SECTION #. Section 14.11(b) of S.L. 2011-145 reads as rewritten:

3 "SECTION 14.11.(b) Of the funds appropriated in this act to the Department of
4 Commerce for State Aid, the sum of two million eight hundred ninety-nine thousand eight
5 hundred eighty-five dollars (\$2,899,885) for the 2011-2012 fiscal year and the sum of ~~two~~
6 ~~million eight hundred ninety-nine thousand eight hundred eighty-five dollars (\$2,899,885)~~ two
7 million eight hundred fifty-six thousand three hundred eighty-seven dollars (\$2,856,387) for
8 the 2012-2013 fiscal year is allocated as grants-in-aid for each fiscal year as follows:

	2011-2012	2012-2013
9		
10		
11 Aurora Fossil Museum	\$49,000	\$49,000
12 Cape Fear Museum	\$132,125	\$132,125 <u>\$129,877</u>
13 Carolina Raptor Center	\$92,050	\$92,050 <u>\$90,484</u>
14 Catawba Science Center	\$120,100	\$120,100 <u>\$118,057</u>
15 Colburn Earth Science Museum, Inc.	\$61,170	\$61,170 <u>\$60,129</u>
16 Core Sound Waterfowl Museum	\$49,000	\$49,000
17 Discovery Place	\$543,945	\$543,945 <u>\$534,691</u>
18 Eastern NC Regional Science Center	\$49,000	\$49,000
19 Fascinate-U	\$66,530	\$66,530 <u>\$65,398</u>
20 Granville County Museum Commission,		
21 Inc.-Harris Gallery	\$49,000	\$49,000
22 Greensboro Children's Museum	\$110,845	\$110,845 <u>\$108,959</u>
23 The Health Adventure Museum of Pack		
24 Place Education, Arts and		
25 Science Center, Inc.	\$127,695	\$127,695 <u>\$125,523</u>
26 Highlands Nature Center	\$65,050	\$65,050 <u>\$63,943</u>
27 Imagination Station	\$70,600	\$70,600 <u>\$69,399</u>
28 The Iredell Museums, Inc.	\$50,310	\$50,310 <u>\$49,454</u>
29 Kidsenses	\$66,700	\$66,700 <u>\$65,565</u>
30 Museum of Coastal Carolina	\$64,025	\$64,025 <u>\$62,936</u>
31 The Natural Science Center		
32 of Greensboro, Inc.	\$152,920	\$152,920 <u>\$150,319</u>
33 North Carolina Museum of Life		
34 and Science	\$311,685	\$311,685 <u>\$306,383</u>
35 Pisgah Astronomical Research Institute	\$49,000	\$49,000
36 Port Discover: Northeastern		
37 North Carolina's Center for		
38 Hands-On Science, Inc.	\$49,000	\$49,000
39 Rocky Mount Children's Museum	\$59,290	\$59,290 <u>\$58,281</u>

1	Schiele Museum of Natural History			
2	and Planetarium, Inc.	\$188,370	\$188,370	<u>\$185,166</u>
3	Sci Works Science Center and			
4	Environmental Park of Forsyth County	\$120,215	\$120,215	<u>\$118,170</u>
5	Sylvan Heights Waterfowl Park			
6	and Eco-Center	\$49,000		\$49,000
7	Western North Carolina Nature Center	\$92,630	\$92,630	<u>\$91,054</u>
8	Wilmington Children's Museum	\$60,630	\$60,630	<u>\$59,599</u>
9				
10	Total	\$2,899,885	\$2,899,885	<u>\$2,856,387."</u>

GENERAL ASSEMBLY OF NORTH CAROLINA

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SPECIAL PROVISION



2012-COMM-H9-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

REGIONAL ECONOMIC DEVELOPMENT COMMISSIONS ALLOCATIONS

SECTION #. Section 14.13 of S.L. 2011-145, as amended by Section 37 of S.L. 2011-391, reads as rewritten:

"REGIONAL ECONOMIC DEVELOPMENT COMMISSIONS ALLOCATIONS

"SECTION 14.13.(a) Funds appropriated in this act to the Department of Commerce for regional economic development commissions shall be allocated to the following commissions in accordance with subsection (b) of this section: Western North Carolina Regional Economic Development Commission, Research Triangle Regional Partnership, Southeastern North Carolina Regional Economic Development Commission, Piedmont Triad Partnership, Northeastern North Carolina Regional Economic Development Commission, North Carolina's Eastern Region Economic Development Partnership, and Carolinas Partnership, Inc.

"SECTION 14.13.(b) Funds appropriated pursuant to subsection (a) of this section shall be allocated to each regional economic development commission as follows:

- (1) First, the Department shall establish each commission's allocation by determining the sum of allocations to each county that is a member of that commission. Each county's allocation shall be determined by dividing the county's development factor by the sum of the development factors for eligible counties and multiplying the resulting percentage by the amount of the appropriation. As used in this subdivision, the term "development factor" means a county's development factor as calculated under G.S. 143B-437.08; and
- (2) Next, the Department shall subtract from funds allocated to the North Carolina's Eastern Region Economic Development Partnership the sum of ~~one hundred seventy-four thousand eight hundred ninety dollars (\$174,890)~~ one hundred sixty-one thousand eight hundred sixty-one dollars (\$161,861) in the ~~2011-2012~~ 2012-2013 fiscal year, which sum represents (i) the total interest earnings in the prior fiscal year on the estimated balance of the seven million five hundred thousand dollars (\$7,500,000) appropriated to the Global TransPark Development Zone in Section 6 of Chapter 561 of the 1993 Session Laws and (ii) the total interest earnings in the prior fiscal year on loans made from the seven million five hundred thousand dollars (\$7,500,000) appropriated to the Global TransPark Development Zone in Section 6 of Chapter 561 of the 1993 Session Laws; and
- (3) Next, the Department shall redistribute the sum of ~~one hundred seventy-four thousand eight hundred ninety dollars (\$174,890)~~ one hundred sixty-one thousand eight hundred sixty-one dollars (\$161,861) in the ~~2011-2012~~ 2012-2013 fiscal year to the seven regional economic development commissions named in subsection (a) of this section. Each commission's

1 share of this redistribution shall be determined according to the development
2 factor formula set out in subdivision (1) of this subsection. This
3 redistribution shall be in addition to each commission's allocation
4 determined under subdivision (1) of this subsection.

5 **"SECTION 14.13.(c)** No more than one hundred twenty thousand dollars (\$120,000) in
6 State funds shall be used for the annual salary of any one employee of a regional economic
7 development commission.

8 **"SECTION 14.13.(d)** The General Assembly finds that successful economic development
9 requires the collaboration of the State, regions of the State, counties, and municipalities.
10 Therefore, the regional economic development commissions are encouraged to seek
11 supplemental funding from their county and municipal partners to continue and enhance their
12 efforts to attract and retain business in the State."

GENERAL ASSEMBLY OF NORTH CAROLINA

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2012-COMM-H2-P

Department of Commerce/Economic Development
Appropriations Subcommittee on Natural and Economic Resources

Requested by: Representative

RURAL CENTER/RURAL JOBS FUND

SECTION #. Section 14.20(d) of S.L. 2011-145 reads as rewritten:

"SECTION 14.20.(d) Rural Jobs Infrastructure Grants. – A Rural Jobs Infrastructure Grant is available to supplement other funds to be applied to the construction or installation costs of an eligible project. Other funds contributed to the project may include federal funds, State funds, and local funds, including contributions from private sector enterprises that may benefit from the proposed improvements. A Rural Jobs Infrastructure Grant is subject to the following provisions:

- (1) Eligibility. – A local government unit is eligible for a Rural Jobs Infrastructure Grant if it is a rural county or is located in a rural county.
- (2) Maximum grant amount. – Grant funds shall be available based upon the number of private sector jobs to be created as a result of the investment from the Rural Jobs Infrastructure Grant Fund. An applicant for a grant may request up to five thousand dollars (\$5,000) per job to be created. An applicant for a Rural Jobs Infrastructure Grant shall not receive more than five hundred thousand dollars (\$500,000) for a proposed infrastructure project. Notwithstanding the provisions of this subdivision, the Rural Center may, if it deems it reasonable and appropriate based upon the number of private sector jobs created and/or the anticipated benefits to the community, award grant funds to a local government that exceed five thousand dollars (\$5,000) per job to be created, provided that the average amount of the total grant funds from the funds appropriated in subsection (a) of this section does not exceed five thousand dollars (\$5,000) per job to be created.
- (3) Matching funds. – A local government unit shall match a Rural Jobs Infrastructure Grant on a dollar-for-dollar basis. As part of the matching funds, recipients of grant funds under the provisions of this section shall contribute a cash match for the grant that is equivalent to at least five percent (5%) of the grant amount. The required applicant cash-matching contribution shall come from local resources and may not be derived from other State or federal grant funds or from funds provided by the Rural Center."